



Governor Kim Reynolds
Lt. Governor Adam Gregg
San Wong, Director

DMC Subcommittee Minutes of Regular Meeting

Origination site: Lucas State Office Building
321 E. 12th Street, Room 208
Des Moines, IA 50319

November 20, 2019

Present: LaTasha DeLoach*, Co-Chair; Kim Cheeks*; Bob Greenlee*; Stephan Pearson*; Tina Shaw*; Miguel Trevino*; David Tristan*

Staff: Steve Michael; Dave Kuker; Kathy Nesteby; Julie Rinker; Reeva Neighbors

*=Joined by phone

- **Welcome/Introductions**
- **Agenda – Additions/Amendments**

In the absence of Wayne Ford, LaTasha DeLoach welcomed those in attendance at 10:06 a.m. A quorum was not present. There were no changes to the agenda.

- **Minutes Approval (Vote)**

Due to lack of quorum, the minutes were not approved.

- **October 2019 NAACP Conference Update** – Betty Andrews, President Iowa/Nebraska NAACP

Betty Andrews was not in attendance. DeLoach noted appreciation for Andrews' consideration in attending.

Kim Cheeks reported on a presentation regarding the Bail Project and implicit bias training to be implemented in the Department of Corrections. She thought it was a good conference.

- **DMC Data Quarterly Reports**

Dave Kuker reviewed the status of statewide goals to reduce disparity. Five decision points are being tracked in the juvenile justice system—Complaint, Diversion, Pretrial Detention, Secure Confinement, and Adult Court Transfer. Kuker expressed frustration with the goals not being met, especially with regard to Complaints. However, two jurisdictions, Johnson and Scott Counties, have met pre-charge diversion goals and have efforts in place. He noted recent meetings with stakeholders in four targeted counties. Data, research, and information were been shared, yet disparity continues to exist.

DeLoach asked what could be done to get all judicial districts to use the Pre-charge Diversion Toolkit and take efforts to reduce disparity.

Michael responded that he plans to meet with State Court Administration (SCA) to discuss strategies including the Toolkit and services. He will encourage the State Court Administrator, Todd Nuccio, to work with the new Director of Juvenile Court Services (JCS) once that individual is hired. DeLoach asked for that job description.

DeLoach suggested bringing the Chiefs and respective JCO supervisors together to encourage similar efforts that are in place in Johnson and Scott Counties.

Bob Greenlee would like to see further efforts with JCOs. David Tristan offered to meet with others and provide information on the diversion program in Scott County.

DeLoach asked about state recognition for those communities that have reduced disparity and have met the goals. Kuker offered to draft a letter to those communities. Michael suggested holding a community meeting/local event with partners, JCS staff, city personnel, etc.

DeLoach noted the significance and importance in reducing disparity and that some areas have made strides through training. She suggested tying minority impact statements to federal funding distributed through the Formula grant.

- **Iowa Task Force for Young Women Update**

Kathy Nesteby reported that the Task Force continues to work on editing its 'protocol' publication. Some funding is available to hold a joint event with this DMC Subcommittee to 'roll out' the publication and provide training.

Speaker considerations include Professor Shawn Ginright with the University of California at Berkeley, Monique Morris, or a Girls Circle event. Topics would be aimed at a healing-centered/trauma-centered approach and evidence based practices for females in the juvenile justice system. She asked for suggested speakers as well as individuals who could review the publication with a lens on marginalized populations. The protocol publication has been expanded to include other marginalized populations—black girls, the disabled, and gender-identity.

DeLoach suggested holding a joint meeting to arrange an event that would be beneficial to both subcommittees. Michael responded that he asked the Task Force to give consideration to training that would push the system and services to new levels for the best treatment and services for girls/girls of color. The JJAC will provide approval for the event and the publication prior to release to the public.

DeLoach requested that downloads of the publication be tracked on the website and recommended consulting with the National Black Women's Justice Institute for peer review. Nesteby noted that several ideas are being considered for the website including video clips and separating the components of the publication.

Nestey further noted that the Juvenile Justice Reform Act directs states to eliminate the use of restraints on known pregnant girls. This would go into effect in 2021. A letter was sent last September to the Department of Human Services (DHS) advising them of this new requirement and requesting changes be made to its Administrative Rules. The Task Force will continue to monitor progress.

- **JJDP Act Reauth.–AC Waiver – Juvenile Detention Holds**

Scott Musel provided information regarding new requirements of the Juvenile Justice Reform Act regarding adult waivers. He reported that by 2021, youth waived to adult court cannot be held in adult jails while awaiting trial. However, there are parameters where a youth could be held in an adult facility—a court hearing must be held and address reasons why the adult facility is better. Considerations include risk level, maturity, crime level, and risk to harm other youth or themselves. A hearing must be held every 30 or 45 days, depending on urban or rural area.

Iowa law will need to be amended to comply with this new requirement. CJJP has pre-filed a bill regarding the necessary language.

A training opportunity will be provided to various justice system stakeholders. Training is currently underway during visits to detention centers. Musel will also provide training at the Iowa Law Enforcement Academy and the annual Sheriffs/Deputies training.

- **Juvenile Justice Reform Efforts**

- House File 766 – Study Committee
- Diversion Effort

Michael reported that a work group required by HF766 has been meeting to develop an action plan to transfer certain juvenile justice-related funding from DHS to SCA. CJJP was named to coordinate the meetings and help develop a report to the Governor and General Assembly.

Recommendations include transferring oversight and administration of Detention Home Funds to CJJP. Graduated Sanctions/Court-Ordered Services funding will be transferred to SCA by July, 2021. Group Care funding will be transferred to SCA by July, 2023, to coincide with current DHS provider contracts.

- **Local DMC Efforts – DMC Sub Community Members**

Woodbury—Stephan Pearson reported that a holiday food box and clothing drive will take place on December 19.

Scott—Tristan reported that the diversion program is working well and has been featured by the media. Miguel Trevino noted support from the community—kids, parents, JCS, and law enforcement. They are seeing benefits since implementation.

Johnson—DeLoach reported that the film “Cracking the Codes: The System of Racial Inequality” was aired at a local church followed by community discussion.

- **Future Meeting** – 02/12/20 (Conf. Call-Webinar)

Michael noted that February 27 will be the Department of Human Rights’ ‘Day on the Hill’. All members are invited to attend, meet staff, and promote issues with legislators.

Reeva Neighbors, Coordinator for the State of Iowa Youth Advisory Council, provided information on positions identified by SIYAC members: Vaping Tax/Ban; Internet in Rural Areas; Student representatives on School Board/City Councils; and Women’s Hygiene products provided in school restrooms.

There was no further discussion. The meeting adjourned 11:38 a.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights